

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

ERNISA BARNWELL,

Plaintiff,

v.

Case No. 8:23-cv-1587-WFJ-UAM

**CITY OF SAINT PETERSBURG,
et al.,**

Defendant.

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REPORT AND RECOMMENDATION

After reviewing the plaintiff's complaint and application to proceed *in forma pauperis* (Docs. 1, 2), the court took the plaintiff's motion under advisement pending the plaintiff submitting an amended complaint by September 5, 2023. (Doc. 6). The court warned the plaintiff that failure to timely file an amended complaint and affidavit of indigency may result in a recommendation of denial of the motion to proceed *in forma pauperis*. (*Id.* at p. 6). The court also advised the plaintiff that he may pay the filing fee and conduct proper service of process if she wishes to proceed under her complaint. (*Id.*).

The plaintiff filed a requested an extension of time to amend her complaint, which the court granted until September 19, 2023. (Docs. 8, 9). To date, the plaintiff has not filed an amended complaint.

Thus, it is **RECOMMENDED** that the plaintiff's amended motion for leave to proceed *in forma pauperis* (Doc. 2) be **DENIED**, and the complaint (Doc. 1) be **DISMISSED without prejudice**.

ENTERED in Tampa, Florida on September 26, 2023.



AMANDA ARNOLD SANSONE
United States Magistrate Judge

NOTICE TO PARTIES

The plaintiffs have fourteen days from the date they are served a copy of this report to file written objections to this report's proposed findings and recommendations or to seek an extension of the fourteen-day deadline to file written objections. 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1. A party's failure to object timely in accordance with 28 U.S.C. § 636(b)(1) waives that party's right to challenge on appeal the district court's order adopting this report's unobjected-to factual findings and legal conclusions. 11th Cir. R. 3-1.

cc:

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